

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OHARACHO NOGYO KYODO KUMIAI,

No. C 03-01382 JSW

Plaintiff,

v.

CLAUDE LEFEBVRE, et al.

Defendant.

**ORDER DENYING WITHOUT
PREJUDICE MOTION FOR
EXTENSION OF TIME TO SET
ASIDE ORDER DENYING
WITHOUT PREJUDICE MOTION
FOR TURNOVER ORDER IN AID
OF EXECUTION**

On August 21, 2006, Defendant Dennis Herula filed a motion for an extension of time asking for an unspecified extension of time to file a motion to set aside this Court's Order dated December 3, 2004, in which the Court denied plaintiff's motion for a turnover order in aid of execution. Because Mr. Herula has not provided plaintiff or his co-defendants with an opportunity to respond to the current motion, as he has previously been advised to do by this Court, and because he has not advised the Court how much of an extension he seeks his motion is DENIED WITHOUT PREJUDICE. If Mr. Herula renews his motion, he must serve it on counsel for Plaintiff and the co-defendants in this case. In addition, Mr. Herula must specify a specific time period in which he would expect to file a substantive motion and must make clear what relief he ultimately will be seeking from the Court.

IT IS SO ORDERED.

Dated: September 1, 2006


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE